

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 3-4, 21, and 23 have been requested to be cancelled.

Claims 1, 10, 18, 24, and 25 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-2, 5-20, 22, and 24-29 are now pending in this application.

Claim Rejections – 35 U.S.C. § 103 (a)

Claims 1-2, 5-20, 22, and 24-29 were rejected under § 103 (a) as being obvious by U.S. Patent No. 5,353,023 by Mitsugi, in view of U.S. Patent No. 6,959,282 by Kakihara et al. Applicants respectfully submit that neither reference, alone or in combination, renders obvious that which is claimed in the present application.

Independent Claim 1

Claim 1 was rejected under § 103 (a) as being obvious by U.S. Patent No. 5,353,023 by Mitsugi, in view of U.S. Patent No. 6,959,282 by Kakihara et al. Neither Mitsugi nor Kakihara teach or suggest claim 1 because neither reference teaches or suggests the following: (i) “a data collection system configured to collect risk assessment data ... including a present location of the object determined from the location determining device, wherein the risk assessment data collected by the data collection system further includes a select subset of data parameters for selling or pricing an insurance product, the data parameters including at least one of the

following: operational parameters, environmental parameters, and object service parameters,” or (ii) “a pricing system in communication with the data collection system, the pricing system being configured to sell or dynamically adjust the price of the insurance product based on the present location of the object and the select subset of data parameters.”

First, in connection with the “data collection system configured to collect risk assessment data” limitation, as set forth in claim 1, the Examiner cites column 1, lines 44-68, column 2, lines 37-48, column 3, lines 43-68, column 4, lines 41-54, and figures 1A-3 of the Mitsugi reference. Neither Mitsugi nor Kakihara teach or suggest claim 1 because neither reference teaches a data collection system configured to collect risk assessment data, wherein the risk assessment data includes “a select subset of data parameters for selling or pricing an insurance product, the data parameters including at least one of the following: operational parameters, environmental parameters, and object service parameters,” as set forth in claim 1. The “select subset of data parameters for selling or pricing an insurance product” in claim 1 relates to additional risk assessment data collected by the data collection system, in addition to the object location data. In connection with this limitation of claim 1, it appears that it is the Examiner’s position that the teachings in Mitsugi teach this aspect of the claim. Mitsugi merely teaches a car information storage unit for storing information about the current location of the car. However, Mitsugi does not teach or suggest a system “configured to collect risk assessment data ... including a present location of the object ... wherein the risk assessment data collected by the data collection system further includes a select subset of data parameters for selling or pricing an insurance product, the data parameters including at least one of the following: operational parameters, environmental parameters, and object service parameters,” as in the present claim. Therefore, claim 1 is allowable over the Mitsugi and Kakihara references.

Second, in connection with the “pricing system in communication with the data collection system” limitation, as set forth in claim 1, the Examiner cites column 2, lines 42-62 of Kakihara. Specifically, it appears that the Examiner’s position is that the teachings in Kakihara concerning “a charge device ... capable of implementing charge processing for a user of a moving body”

teach this aspect of claim 1. See column 1, lines 58-61 and column 2, lines 42-52. However, in Kakihara, the charging device is used in conjunction with an “on-road” device for seeking relevant information from the vehicle to charge a toll based on the distance traveled on a tollway. The Kakihara reference does not teach or suggest having “a pricing system in communication with the data collection system, the pricing system being configured to sell or dynamically adjust the price of the insurance product based on the present location of the object and the select subset of data parameters,” as in claim 1. The “pricing system in communication with the data collection system” of claim 1 relates to selling or adjusting the price of an insurance product based on the present location of the object and the select subset of data parameters, not a tolling device for charging a vehicle toll based on distance traveled. Therefore, claim 1 is allowable over the Mitsugi and Kakihara references.

Dependent claims 2 and 5-9 incorporate by reference the limitations of independent claim 1, and are therefore allowable for the same reasons that claim 1 is allowable. Additionally, applicants respectfully submit that the previously presented dependent claims recite additional novel and non-obvious features which are not taught or suggested by either Mitsugi or Kakihara.

Independent Claim 10

Claim 10 was rejected under § 103 (a) as being obvious by U.S. Patent No. 5,353,023 by Mitsugi, in view of U.S. Patent No. 6,959,282 by Kakihara et al. Neither Mitsugi nor Kakihara teach or suggest claim 10 because neither reference teaches or suggests the following: (i) “a data collection system configured to collect risk assessment data ... including the object’s present location determined from the location determining device, wherein the risk assessment data collected by the data collection system further includes a select subset of data parameters for selling or pricing an insurance product, the data parameters including at least one of the following: operational parameters, environmental parameters, and object service parameters,” or (ii) “a pricing system in communication with the data collection system, the pricing system configured to sell or dynamically adjust the price of the insurance based on the data including the location of the object and the select subset of data parameters.”

First, in connection with the “data collection system configured to collect risk assessment data” limitation, as set forth in claim 10, the Examiner cites column 1, lines 44-68, column 2, lines 37-48, column 3, lines 43-68, column 4, lines 41-54, and figures 1A-3 of the Mitsugi reference. Neither Mitsugi nor Kakihara teach or suggest claim 10 because neither reference teaches a data collection system configured to collect risk assessment data, wherein the risk assessment data includes “a select subset of data parameters for selling or pricing an insurance product, the data parameters including at least one of the following: operational parameters, environmental parameters, and object service parameters,” as set forth in claim 10. The “select subset of data parameters for selling or pricing an insurance product” in claim 10 relates to additional risk assessment data collected by the data collection system, in addition to the object location data. In connection with this limitation of claim 10, it appears that it is the Examiner’s position that the teachings in Mitsugi teach this aspect of the claim. Mitsugi merely teaches a car information storage unit for storing information about the current location of the car. However, Mitsugi does not teach or suggest a system “configured to collect risk assessment data ... including a present location of the object ... wherein the risk assessment data collected by the data collection system further includes a select subset of data parameters for selling or pricing an insurance product, the data parameters including at least one of the following: operational parameters, environmental parameters, and object service parameters,” as in the present claim. Therefore, claim 10 is allowable over the Mitsugi and Kakihara references.

Second, in connection with the “pricing system in communication with the data collection system” limitation, as set forth in claim 10, the Examiner cites column 2, lines 42-62 of Kakihara. Specifically, it appears that the Examiner’s position is that the teachings in Kakihara concerning “a charge device ... capable of implementing charge processing for a user of a moving body” teach this aspect of claim 10. See column 1, lines 58-61 and column 2, lines 42-52. However, in Kakihara, the charging device is used in conjunction with an “on-road” device for seeking relevant information from the vehicle to charge a toll based on the distance traveled on a tollway. The Kakihara reference does not teach or suggest having “a pricing system in communication with the data collection system, the pricing system being configured to sell or

dynamically adjust the price of the insurance product based on the present location of the object and the select subset of data parameters,” as in claim 10. The “pricing system in communication with the data collection system” of claim 10 relates to selling or adjusting the price of an insurance product based on the present location of the object and the select subset of data parameters, not a tolling device for charging a vehicle toll based on distance traveled. Therefore, claim 10 is allowable over the Mitsugi and Kakihara references.

Dependent claims 11-15 incorporate by reference the limitations of independent claim 10, and are therefore allowable for the same reasons that claim 10 is allowable. Additionally, applicants respectfully submit that the previously presented dependent claims recite additional novel and non-obvious features which are not taught or suggested by either Mitsugi or Kakihara.

Independent Claim 16

Claim 16 was rejected under § 103 (a) as being obvious by U.S. Patent No. 5,353,023 by Mitsugi, in view of U.S. Patent No. 6,959,282 by Kakihara et al. Neither Mitsugi nor Kakihara teach or suggest claim 16 because neither reference teaches or suggests the steps of the method disclosed in claim 16.

Claim 16 recites a combination including, among other elements, “determining whether terms of the product warranty have been altered based on the comparison,” where the comparison is performed between operational data related to the use of the product and at least one operational specification related to use of the product, which is not taught or suggested by Mitsugi or Kakihari, alone or in any proper combination. Specifically, Mitsugi and Kakihari fail to teach or suggest making any determination regarding a product warranty based on comparing operational data and operational specifications for the product. Neither of the cited references is directed to or related to product warranties or monitoring product warranties. Applicants therefore submit that Mitsugi and Kakihari alone or in any proper combination, fail to teach or suggest at least one limitation of independent claim 16. Therefore, claim 16 is allowable over the Mitsugi and Kakihara references.

Dependent claim 17 incorporates by reference the limitations of independent claim 16, and is therefore allowable for the same reasons that claim 16 is allowable. Additionally, applicants respectfully submit that the previously presented dependent claim recites additional novel and non-obvious features which are not taught or suggested by either Mitsugi or Kakiyara.

Independent Claim 18

Claim 18 was rejected under § 103 (a) as being obvious by U.S. Patent No. 5,353,023 by Mitsugi, in view of U.S. Patent No. 6,959,282 by Kakiyara et al. Neither Mitsugi nor Kakiyara teach or suggest claim 1 because neither reference teaches or suggests “receiving information ... from a remote transceiver that is in communication with the GPS receiver, the information including a location of the object, wherein the information further includes a select subset of parameters for pricing an insurance product, the parameters including at least one of the following: operational parameters, environmental parameters, and object service parameters.”

In connection with the “receiving information ... from a remote transceiver that is in communication with the GPS receiver” limitation, as set forth in claim 18, the Examiner cites column 1, lines 44-68, column 2, lines 37-48, column 3, lines 43-68, column 4, lines 41-54, and figures 1A-3 of the Mitsugi reference. Neither Mitsugi nor Kakiyara teach or suggest claim 18 because neither reference teaches a method for pricing an insurance product comprising “receiving information ... from a remote transceiver that is in communication with the GPS receiver, the information including a location of the object, wherein the information further includes a select subset of parameters for pricing an insurance product,” as set forth in claim 18. The “select subset of data parameters for selling or pricing an insurance product” in claim 18 relates to additional risk assessment data collected by the data collection system, in addition to the object location data. In connection with this limitation of claim 18, it appears that it is the Examiner’s position that the teachings in Mitsugi teach this aspect of the claim. Mitsugi merely teaches a car information storage unit for storing information about the current location of the car. However, Mitsugi does not teach or suggest a method for pricing an insurance product comprising “receiving information ... from a remote transceiver that is in communication with

the GPS receiver, the information including a location of the object, wherein the information further includes a select subset of parameters for pricing an insurance product, the parameters including at least one of the following: operational parameters, environmental parameters, and object service parameters,” as in the present claim. Therefore, claim 18 is allowable over the Mitsugi and Kakihara references.

Dependent claims 19-20, 22, and 28-29 incorporate by reference the limitations of independent claim 18, and are therefore allowable for the same reasons that claim 18 is allowable. Additionally, applicants respectfully submit that the previously presented dependent claims recite additional novel and non-obvious features which are not taught or suggested by either Mitsugi or Kakihara.

Independent Claim 24

Claim 24 was rejected under § 103 (a) as being obvious by U.S. Patent No. 5,353,023 by Mitsugi, in view of U.S. Patent No. 6,959,282 by Kakihara et al. Neither Mitsugi nor Kakihara teach or suggest claim 1 because neither reference teaches or suggests “a receiver configured to continuously receive data relating to an insurance product at predetermined periodic intervals, the insurance product insuring an object, the receiver receiving the data representative of the location of the object, the data further including a select subset of data parameters, the data parameters including at least one of the following: operational parameters, environmental parameters, and object service parameters.”

In connection with the “receiver configured to continuously receive data relating to an insurance product” limitation, as set forth in claim 24, the Examiner cites column 1, lines 44-68, column 2, lines 37-48, column 3, lines 43-68, column 4, lines 41-54, and figures 1A-3 of the Mitsugi reference. Neither Mitsugi nor Kakihara teach or suggest claim 24 because neither reference teaches a processing system comprising “a receiver configured to continuously receive data relating to an insurance product at predetermined periodic intervals, the insurance product insuring an object, the receiver receiving the data representative of the location of the object, the

data further including a select subset of data parameters, the data parameters including at least one of the following: operational parameters, environmental parameters, and object service parameters,” as set forth in claim 24. The “select subset of data parameters” in claim 24 relates to additional risk assessment data, in addition to the object location data. In connection with this limitation of claim 24, it appears that it is the Examiner’s position that the teachings in Mitsugi teach this aspect of the claim. Mitsugi merely teaches a car information storage unit for storing information about the current location of the car. However, Mitsugi does not teach or suggest a system comprising “a receiver configured to continuously receive data relating to an insurance product at predetermined periodic intervals, the insurance product insuring an object, the receiver receiving the data representative of the location of the object, the data further including a select subset of data parameters, the data parameters including at least one of the following: operational parameters, environmental parameters, and object service parameters, as disclosed in the present claim. Therefore, claim 24 is allowable over the Mitsugi and Kakiyara references.

Independent Claim 25

Claim 25 was rejected under § 103 (a) as being obvious by U.S. Patent No. 5,353,023 by Mitsugi, in view of U.S. Patent No. 6,959,282 by Kakiyara et al. Neither Mitsugi nor Kakiyara teach or suggest claim 1 because neither reference teaches or suggests “a receiver configured to receive data relating to the state of an object at predetermined periodic intervals, the data including at least one of the following: operational parameters, environmental parameters, and object service parameters.”

In connection with the “a receiver configured to receive data relating to the state of an object at predetermined periodic intervals” limitation, as set forth in claim 25, the Examiner cites column 1, lines 44-68, column 2, lines 37-48, column 3, lines 43-68, column 4, lines 41-54, and figures 1A-3 of the Mitsugi reference. Neither Mitsugi nor Kakiyara teach or suggest claim 25 because neither reference teaches a processing system comprising “a receiver configured to receive data relating to the state of an object at predetermined periodic intervals, the data including at least one of the following: operational parameters, environmental parameters, and

object service parameters,” as set forth in claim 25. The “operational parameters, environmental parameters, and object service parameters” in claim 25 relate to collected risk assessment data. In connection with this limitation of claim 25, it appears that it is the Examiner’s position that the teachings in Mitsugi teach this aspect of the claim. Mitsugi merely teaches a car information storage unit for storing information about the current location of the car. However, Mitsugi does not teach or suggest a system comprising “a receiver configured to receive data relating to the state of an object at predetermined periodic intervals, the data including at least one of the following: operational parameters, environmental parameters, and object service parameters,” as disclosed in the present claim. Therefore, claim 25 is allowable over the Mitsugi and Kakiyara references.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Atty. Dkt. No. 035451-0166 (3704.Palm)

Respectfully submitted,

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